

## AMENDMENTS TO THE CLAIMS

- 1. (Original)** A negative electrode material for non-aqueous electrolyte secondary batteries, comprising: a carbon material having a sphericity of at least 0.8, and exhibiting an average (002) interlayer spacing  $d_{002}$  of 0.365 - 0.400 nm, a crystallite size in a c-axis direction  $Lc_{(002)}$  of 1.0 - 3.0 nm, as measured by X-ray diffractometry, a hydrogen-to-carbon atomic ratio (H/C) of at most 0.1 as measured by elementary analysis, and an average particle size  $Dv_{50}$  of 1 - 20  $\mu\text{m}$ .
- 2. (Original)** A negative electrode material according to claim 1, comprising a carbonization product of a vinyl resin.
- 3. (Currently Amended)** A negative electrode material according to claim 1 or 2, having a bulk specific gravity of at least 0.40 and below 0.60.
- 4. (Currently Amended)** A negative electrode material according to ~~any one of claims 1-3~~ claim 1, having a ratio  $D_4/D_1$  of at most 3.0 between a weight-average particle size  $D_4$  and a length average particle size  $D_1$ .
- 5. (Currently Amended)** A negative electrode material according to ~~any one of claims 1-4~~ claim 1, having a product of a specific surface area S ( $\text{m}^2/\text{g}$ ) and an average particle size  $Dv_{50}$  ( $\mu\text{m}$ ) of 3 - 40.
- 6. (Currently Amended)** A negative electrode material according to ~~any one of claims 1-5~~ claim 1, exhibiting an exothermic peak temperature of at least 600°C.
- 7. (Currently Amended)** A negative electrode material according to ~~any one of claims 1-6~~ claim 1, comprising a surface of the carbon material coated with 0.1 - 10 wt.% of a silicon compound .

**8. (Currently Amended)** A negative electrode material according to ~~any one of claims 1-7~~claim 1, containing 0.5 - 5 wt.% of nitrogen.

**9. (Currently Amended)** A process for producing a negative electrode material for non-aqueous electrolyte secondary batteries according to ~~any one of claims 1-8~~claim 1, comprising; oxidizing a spherical vinyl resin obtained through suspension polymerization to oxidation at a temperature of 150 - 400°C in an oxidizing gas atmosphere to provide a carbon precursor and carbonizing the carbon precursor in an inert gas atmosphere.

**10. (Currently Amended)** A negative electrode for non-aqueous electrolyte secondary batteries, having a layer of active substance comprising a negative electrode material according to ~~any one of claims 1-8~~claim 1 and formed at a coating rate of at most 60 g/m<sup>2</sup>.

**11. (Original)** A non-aqueous electrolyte secondary battery having a negative electrode according to claim 10.